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E-FILED - 12/23/09

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR-09-00313 RMW
Plaintiff,)	STIPULATION AND
v.)	[XXXXXXX ORDER REGARDING
KURTIS THORSTED,)	SENTENCING HEARING
Defendant.)	Date: March 8, 2010
)	Time: 9:00 a.m.
)	Judge: Hon. Ronald M. Whyte

The defendant, Kurtis Thorsted, represented by Cythnia Lie, Assistant Federal Public Defender, and the government, Grant P. Fondo, Assistant United States Attorney, hereby stipulate as follows:

1. On July 6, 2009 defendant, pleading open, pleaded guilty to Count Three of the nine count Information.

2. On October 26, 2009 defendant, pleading open, pleaded guilty to Counts 1, 2, 7, 8 and 9 of the Information. The United States informed the Court that given defendant's


Stipulation re Sentencing
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1 additional change of plea, it would not pursue the remaining counts in the Information. The
2 Court then set a sentencing date of March 8, 2010 at 9:00 a.m.

3 2. The United States expects to present witnesses at the defendant's sentencing
4 hearing, and the defendant anticipates cross-examining those witnesses. At this time the
5 defendant does not intend to present any witnesses, although defendant reserves his right to do
6 so. The parties, therefore, anticipate the hearing will take approximately two hours.
7 Consequently, the parties wanted to inform the Court of the expected time needed to complete
8 the hearing, and suggest that the defendant's sentencing hearing be taken off the Court's regular
9 calendar and specially set during the week of March 8, 2010. The parties are available any time
10 during this week.

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12 DATED: November 12, 2009

JOSEPH P. RUSSONIELLO
United States Attorney

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GRANT P. FONDO
Assistant United States Attorney

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17 /S/
CYNTHIA LIE
Assistant Federal Public Defender
Counsel for Defendant

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JOSEPH P. RUSSONIELLO
United States Attorney

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15 /s/
GRANT P. FONDO
Assistant United States Attorney

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CYNTHIA LIE
Assistant Federal Public Defender
Counsel for Defendant

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3 **ORDER**

4 Based upon the stipulation of the parties, and for good cause shown, the Court finds that:

5 1. Defendant's sentencing hearing of March 8, 2010, at 9:00 a.m. is rescheduled to
6 March 9, 2010 at 2:00 XX /p.m.

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8 IT IS SO ORDERED.

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11 DATED: 12/23/09


RONALD M. WHYTE
United States District Judge

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